GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Boarder Check Post, Palamaner, Chittor District on 08-09-2015 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Kanamanambedu Veeraswamy, Senior Assistant/Sr.Commercial Inspector, Boarder Check Post, Palamaneru, Chittoor District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.940 **Dated:11-12-2020**

Read the following:

1. From DG, ACB, A.P, Lr.Rc.No.133/RCO-TCT/2015, dt.29.10.2020.
2. G.O.Ms.No.370, Revenue (Vigilance-II) Department, dated 11-12-2020.

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O R D E R :

In continuation of the orders issued under Rule -9 of Andhra Pradesh Revised Pension Rules, 1980 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Kanamanambedu Veeraswamy, Senior Assistant/Sr.Commercial Inspector, Boarder Check Post, Palamaneru, Chittoor District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Kanamanambedu Veeraswamy, Senior Assistant / Senior Commercial Inspector, Boarder Check Post, Palamaneru, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Kanamanambedu Veeraswamy, Senior Assistant / Senior Commercial Inspector, Boarder Check Post, Palamaneru, Chittoor District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Kanamanambedu Veeraswamy, Senior Assistant / Senior Commercial Inspector, Boarder Check Post, Palamaneru, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Kanamanambedu Veeraswamy, Senior Assistant/Sr.Commercial Inspector, Boarder Check Post, Palamaneru, Chittoor District (w.e, Annexures-I to IV) **through** the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Chief Commissioner of State Tax, Andhra Pradesh, Eeedpugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Deputy Commissioner, Commercial Taxes, Chittor District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -I

ARTICLES OF CHARGES FRAMED AGAINST SRI KANAMANAMBEDU VEERASWAMY, S/O. LATE PENCHALAIAH, 58 YEARS, SENIOR ASSISTANT / SENIOR COMMIERCIAL TAX INSPECTOR, BCP, CT DEPARTMENT, PALAMANER, CHITTOOR DISTRICT.

That, Sri Kanamanambedu Veeraswamy, S/o Late Penchalaiah, 58 years joined in Government service on 12-09-1987 as Village Assistant, Peddatippa Samudram. He got promotion as Supernumerary Junior Assistant on 05-11-1990 and posted at Mandal Revenue Office, KVB Puram. On 21-03-1996 he was transferred to Commercial Tax Department and he worked in various places i.e. Commercial Tax Office Madanapalle, Boarder Check Post, Nagalapuram, Deputy Commissioner Office (CT), Chittoor. He got promotion as Senior Assistant on 05-11-2011 and posted at Madanapalle. Then he was posted at CTO office, Puttur on 16-05-2013 and attached to Boarder Check Post (Commercial Tax), Palamaner on deputation basis and there he worked as Senior Commercial Tax Inspector from 16-05-2013 to 08-09-2015 i.e. date of Surprise Check. While working as Sr. Assistant / Sr. Commercial Tax Inspector at Boarder Check Post, Commercial Tax Department, Palamaner, Chittoor District, he has committed grave misconduct in as much as.

Charge:

He along with other Government Servants working in the check post colluded with private person Sri Neerigatti Babu @ Pali and indulged in collection of bribes from the crew of the vehicles to pass through the check post and failed to verify the records of the vehicle and goods being transported in the said vehicles.

Thus, Sri Kanamanambedu Veeraswamy by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3(1), (2) of AP Civil Services (Conduct) Rules, 1964 r/w. 9 of A.P. Revised Pension Rules, 1980.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE -II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SR I KANAMANAMBEDU VEERASWAMY, S/O. LATE SRI PENCHALAIAH, 58 YEARS, SENIOR ASSISTANT / SENIOR COMMIERCIAL TAX INSPECTOR, BCP, CT DEPARTMENT, PALAMANER, CHITTOOR DISTRICT.

That, Sri Kanamanambedu Veeraswamy, S/o Late Sri Penchalaiah, 58 years, N/o Kanamanambedu village, B.N.Kandriga mandal, Chittoor district. His date of birth is 05-08-1957. He entered in to Government service on 12-09-1987 as Village Assistant, Peddatippa Samudram. He got promotion as Supernumerary Junior Assistant on 05-11-1990 and posted at Mandal Revenue Office, KVB Puram. On 21-03-1996 he was transferred to Commercial Tax Department and he worked at O/o.CTO Madanapalle, 0/o BCP, Nagalapuram, O/o DC (CT), Chittoor. He got promoted as Senior Assistant on 05-11-2011 at CTO. Madanapalle. Then he posted at CTO, Puttur on 16-05-2013 and attached to Boarder Check Post, Palamaner on deputation basis and there he worked from 16-05-2013 to till date of Surprise Check. His basic pay is Rs.48,600/- in pay scale of Rs. 22,460/- to 66,330/-. He retired from service on 31-08-2017. He is herein after referred to as Government Servant.

Charge:

He along with other Government Servants working in the check post colluded with private person Sri Neerigatti Babu @ Pali and indulged in collection of bribes from the crew of the vehicles to pass through the check post and failed to verify the records of the vehicle and goods being transported in the said vehicles.

Basis of the Charge:

On receiving credible information that the officials and staff of Commercial Tax Department working at Boarder Check Post, Palamaner, Chittoor were indulging in corrupt practices a surprise check was conducted by ACB officials on 08-09-2015 between 01:10 hrs to 11:00 hrs vide SC No. 5/SC-TCT/2015 of Tirupati Range, Tirupati in the presence of following mediators viz (1) Sri Doraswamy Gopi, S/o. Late Sri Doraswamy, aged about 44 years, Assistant Executive Engineer, O/o Executive Engineer, Irrigation and CAD, Chittoor and (2) Sri Avula Vijaya Kumar, S/o. Late Sri Keshavulu, aged about 26 years, Junior Assistant, O/o. Joint Director Agriculture, Chittoor.

On reaching the check post of 07 staff members of CT department i.e., CO-1 to CO-7 and one private person were found present at the CT department, Border Check Post, Palamaner at the time of search of the office by ACB team.

The Inspector Sri K.Chandra Sekhar got physically checked the above 7 members of CT Department and one private person with the help of his staff. On cross verification with the Personal Cash Register no excess cash is found with office staff except with the private person.

Sri K.Chandrasekhar, Inspector, ACB, Tirupati secured the private person Sri Neerigatti Babu @ Pali, examined him and recorded his statement. He stated that he is working as a Private person since 1 year in the CT department and assisting the staff in stopping the vehicles and collecting bribe amounts to a tune of Rs. 100 to Rs.200/- from the vehicle drivers passing through the check post. For assisting them, he is being paid by the ACTOs at the rate of Rs. 100/- per shift. Further he stated that, today he has collected Rs.2,280/- in this shift and the same was produced in the physical checking on his person and etc., facts. Then Inspector, ACB seized the above amount for further investigation.

(P.T.O)

After a thorough check of the Battery room, un accounted amount of Rs.11,500/-was found between the batteries which were placed in the Pooja room of the check post, an unaccounted amount of Rs. 4,580/- was found in between the luggage bags and an amount of Rs. 2,870/- was found in the croton plants which are located in-front of the counters. Then the Inspector enquired about the unaccounted amount, the officials of check post failed to give proper explanation. Hence, the above unaccounted cash was seized by the Inspector ACB for taking further action.

Then the Inspector, ACB, Tirupati verified (1) Attendance Registers/ Duty Register and (2) Personal Cash Registers. After verification seized the Attendance/Duty Register and returned the Personal Cash register under the due attestations by the Inspector and the mediators.

The Inspector, ACB examined 5 drivers at random. They stated that they regularly used to pass through the check post, for that they need to get it their records verified by the commercial tax officials and get stamp on the papers. For that, even though they are having all valid records, the check post authorities used to collect Rs.50/- to 200/- per vehicle to allow their vehicles to pass through their check post they also stated that, if they refuse to pay amount, they will be harassed by the check post officials in the name of checking and registration of cases and etc., facts.

The check post is having four rooms, out of which the entrance room is occupied by the DCTO, ACTO and a counter. To the western side of the above portion another room for ACTOs and another counter is located. Towards the northern side of the entrance room a rest room is located. Towards the northern side of the second room a battery room is located, where an amount of Rs.11,500/- was found in the said room. In the North-west corner of the check post a pooja room is located having the racks for keeping luggage bags are located, where an amount of Rs. 4580/- was found. In front of the collection counters a series of croton plants are located and an amount of Rs.2,870/- was found.

Thus, during the surprise check an amount of Rs. 21,230/- was seized by the Inspector, ACB, Tirupati. When the Inspector asked the ACTO and his staff to give their explanation for the unaccounted amount found in the check post and also about the presence and collection of the mamools by the private person, they kept quit and did not give any answer.

Thus, Sri Kanamanambedu Veeraswamy by his above mentioned acts has exhibited lack of integrity, devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3(1), (2) of AP Civil Services (Conduct) Rules, 1964 r/w. 9 of A.P. Revised Pension Rules, 1980.

Hence the charge.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI KANAMANAMBEDU VEERASWAMY, S/O. LATE PENCHALAIAH, 58 YEARS, SENIOR ASSISTANT /SENIOR COMMERCIAL TAX INSPECTOR, BCP CT DEPARTMENT, PALAMANER, CHITTOOR DISTRICT ARE PROPOSED TO BE SUSTAINED

1. Original Surprise Check Proceedings drafted from 1:10 hours to 11:00 hours on 08-09-2015 at Commercial Tax Boarder Check Post, near Cattle Farm, Palamaner, Chittoor district.
2. First Information Report in Cr.No.15/RCO-TCT/2015, dt.16-09-2015 at 14:00 hrs of ACB, Tirupati Range, Tirupati.
3. Attendance Registers/ Duty Register.
4. Statement of Neerigatti Babu @ Pali, S/o N.Chengaiah, age 43 years, R/o D.No: 32, ST Colony, Pathapeta, Palamaner, Chittoor District, Cell No:9849680638.
5. Letter of Dy.Commissioner, Comeericial Tax department, Chittoor vide in Rc.No B1/400/2015, dt: 10-09-2015.
6. Circular Memo No. 101/Spl.B/2000-4, dt: 17-4-2001 of Govt General Administration Department (Spl.B).

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE — IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI KANAMANAMBEDU VEERASWAMY, S/O. LATE PENCHALAIAH, 58 YEARS, SENIOR ASSISTANT / SENIOR COMMIERCIAL TAX INSPECTOR, BCP CT DEPARTMENT, PALAMANER, CHITTOOR DISTRICT ARE PROPOSED TO BE SUSTAINED

1. Dr. Degala Srinivasu, S/o.Late Sri Subbarao, aged about 53 years, Senior Medical Officer, Govt. Homoeo Dispensary, Chittoor, R/o. D.No: 20, Tapovanam, Vellore road, Chittoor Town, Chittoor district.
2. Sri Durgam Veerappa, S/o. Late Sri Venkatesh, aged about 57 years, Sweeper cum Scavenger, Govt. Homoeo Dispensary, Chittoor, R/o Balaji Nagar, Opp. Municipal Elementary school, Chittoor town, Chittoor district.
3. Sri Neerigatti Babu @ Pali, S/o. Sri N.Chengaiah, aged about 43 years, (Private person), R/o D.No: 32, ST Colony, Pathapeta, Palamaner, Chittoor district.
4. Sri Kappa Sekhar, S/o. Sri Munikrishnama Naidu, aged about 35 years, (DL 7084/TPT/2001) R/o. Kshirasamudram village and mandal, Chittoor district.
5. Sri Minnel Kannapan Vasu, S/o. Sri Kannapan, aged at out 39 years, (DL No:TN 21 19970002136), R/o. D.No 129, Gangammagudi Street, Santhapeta, Chittoor.
6. Sri Nallappa Manjunath, S/o. Sri N. Jayappa, aged about 32 years, (DL No:DLFAT 00327202009), R/o Alavaripalle village, Vogu (P), Venkatagiri Kota mandal, Chittoor district.
7. Sri Elumalai Gopal, S/o. Elumalai, aged about 56 years, (DL No: 526199) R/o D.No. 5-824, Bandla street, Santhapet, Chittoor.
8. Sri S. Suryanarayana, S/o. Sri Lakshminarasaiah, aged about 32 years, (DL No: DLFAP 20411333/2005, R/o D.No: 4/68-2, Nehru Nagar, Jammalamadugu, YSR distict.
9. Sri T.Rajasekhar, Dy.Commissioner (CT) FAC, Chittoor Division, Chittoor District.
10. Sri K.Chandra Sekhar, Inspector of Police, ACB, Tirupati range, Tirupati.
11. Sri M.Sudhakar Reddy, Inspector of Police, ACB, Tirupati range, Tirupati.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER